

SENATE JOURNAL

Forty-sixth Legislature—Regular Session

FIRST DAY

IN ACCORDANCE with the Constitution and Laws of the State of Texas, the Senate of the Forty-sixth Legislature met in the Senate Chamber of the State Capitol at the City of Austin on the tenth day of January, 1939.

Hon. Walter F. Woodul, Lieutenant Governor of Texas and President of the Senate, called the Senate to order at 12:00 o'clock, meridian.

The Reverend Father Theodore Drees, at the invitation of the President, offered the invocation.

Temporary Officers

The President announced the appointment of the following temporary officers:

Secretary of the Senate, Bob Barker

Sergeant-at-Arms, A. W. Holt

Journal Clerk, Noel K. Brown

Doorkeeper, Joel Gunn

Calendar Clerk, Mrs. Martha Turner.

Roll Call of Senators

The President directed the Secretary of the Senate to call the roll of Senators who were members of the Forty-fifth Legislature and whose terms of office continue for the duration of the Forty-sixth Legislature.

The roll was called, and the following Senators answered to their names:

Hon. E. Harold Beck, representing the First Senatorial District, composed of Bowie, Cass, Marion, Morris, and Titus Counties.

Hon. John S. Redditt, representing the Third Senatorial District, composed of Angelina, Cherokee, Jasper, Nacogdoches, Newton, Sabine, San Augustine and Tyler Counties.

Hon. Gordon M. Burns, representing the Fifth Senatorial District, composed of Grimes, Houston, Leon, Madison, Montgomery, Polk, San Jacinto, Trinity and Walker Counties.

Hon. Will D. Pace, representing the Seventh Senatorial District, composed of Camp, Smith, Upshur, Van Zandt and Wood Counties.

Hon. A. M. Aikin, Jr., representing the Eighth Senatorial District, composed of Delta, Franklin, Hopkins, Lamar and Red River Counties.

Hon. Vernon Lemens, representing the Twelfth Senatorial District, composed of Ellis, Hill, Hood, Johnson and Somervell Counties.

Hon. Doss Hardin, representing the Thirteenth Senatorial District, composed of McLennan, Falls, Limestone and Milam Counties.

Hon. Albert Stone, representing the Fourteenth Senatorial District, composed of Bastrop, Brazos, Burleson, Lee, Robertson and Washington Counties.

Hon. Morris Roberts, representing the Eighteenth Senatorial District, composed of Aransas, Atascosa, Bee, Calhoun, DeWitt, Goliad, Karnes, Jackson, Live Oak, Refugio, San Patricio, Victoria and Wilson Counties.

Hon. Houghton Brownlee, representing the Twentieth Senatorial District, composed of Burnet, Lampasas, Llano, San Saba, Travis and Williamson Counties.

Hon. J. Manley Head, representing the Twenty-first Senatorial District, composed of Bell, Bosque, Coryell, Erath and Hamilton Counties.

Hon. Wilbourne B. Collie, representing the Twenty-fourth Senatorial District, composed of Callahan, Eastland, Fisher, Haskell, Jones, Mitchell, Nolan, Scurry, Shackelford, Stephens, Taylor and Throckmorton Counties.

Hon. J. Franklin Spears, representing the Twenty-sixth Senatorial District, composed of Bandera, Bexar, Kendall and Kerr Counties.

Hon. H. L. Winfield, representing the Twenty-ninth Senatorial District, composed of Brewster, Crane, Crockett, Culberson, Ector, Edwards, El Paso, Glasscock, Hudspeth, Jeff Davis, Kinney, Loving, Maverick, Medina, Midland, Pecos, Presidio, Reagan, Real, Reeves, Sutton, Terrell, Upton, Uvalde, Val Verde, Ward and Winkler Counties.

Hon. G. H. Nelson, representing the Thirteenth Senatorial District, composed of Andrews, Bailey, Borden, Cochran, Cottle, Crosby, Dickens, Dawson, Floyd, Gaines, Garza, Hale, Hockley, Howard, Kent, King, Lamb, Lubbock, Lynn, Martin, Motley, Stonewall, Terry and Yoakum Counties.

Hon. C. C. Small, representing the Thirty-first Senatorial District, composed of Armstrong, Briscoe, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hall, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler Counties.

Roll Call of Senators-Elect

The President directed the Secretary of the Senate to call the roll of Senators-elect, whose certificates of election had been received from the Secretary of State.

The roll was called, and the following Senators-elect answered to their names, and at the President's request, appeared before the bar of the Senate and took the constitutional oath of office, which was administered by the President:

Hon. Joe L. Hill, representing the Second Senatorial District, composed of Gregg, Harrison, Panola, Rusk and Shelby Counties.

Hon. Allan Shivers, representing the Fourth Senatorial District, composed of Hardin, Jefferson, Liberty and Orange Counties.

Hon. Clay Cotten, representing the Sixth Senatorial District, composed of Anderson, Freestone, Henderson, Kaufman and Navarro Counties.

Hon. Olan R. Van Zandt, representing the Ninth Senatorial District, composed of Cooke, Fannin and Grayson Counties.

Hon. Claude Isbell, representing the Tenth Senatorial District, composed of Collin, Hunt, Rains and Rockwall Counties.

Hon. W. C. Graves, representing the Eleventh Senatorial District, composed of Dallas County.

Hon. L. J. Sulak, representing the Fifteenth Senatorial District, composed of Austin, Colorado, Fayette, Lavaca and Waller Counties.

Hon. Weaver Moore, representing the Sixteenth Senatorial District, composed of Harris County.

Hon. William E. Stone, representing the Seventeenth Senatorial District, composed of Brazoria, Chambers, Fort Bend, Galveston, Matagorda and Wharton Counties.

Hon. R. A. Weinert, representing the Nineteenth Senatorial District, composed of Blanco, Caldwell, Comal, Gonzales, Guadalupe and Hays Counties.

Hon. R. C. Lanning, representing the Twenty-second Senatorial District, composed of Denton, Jack, Montague, Palo Pinto, Parker and Wise Counties.

Hon. George Moffett, representing the Twenty-third Senatorial District, composed of Archer, Baylor, Clay, Foard, Hardeman, Knox, Wichita, Wilbarger and Young Counties.

Hon. Penrose B. Metcalfe, representing the Twenty-fifth Senatorial District, composed of Brown, Coke, Coleman, Comanche, Concho, Gillespie, Irion, Kimble, Mason, McCulloch, Menard, Mills, Runnels, Schleicher, Sterling and Tom Green Counties.

Hon. Rogers Kelley, representing the Twenty-seventh Senatorial District, composed of Brooks, Cameron, Dimmit, Duval, Frio, Hidalgo, Jim Hogg, Jim Wells, Kenedy, Kleberg, LaSalle, McMullen, Nueces, Starr, Webb, Willacy, Zapata, and Zavala Counties.

Hon. Jesse E. Martin, representing the Twenty-eighth Senatorial District, composed of Tarrant County.

The President announced a quorum of the Senate present.

Certificates of Election

The President filed with the Secretary of the Senate the certificates of election of the fifteen Senators who took the constitutional oath of office today.

Election of President Pro Tempore

The President announced the election of President Pro Tempore as the next business in order.

Hon. J. Franklin Spears of Bexar County nominated Hon. Weaver Moore of Harris County as President Pro Tempore of the Senate for the Regular Session of the Forty-sixth Legislature.

Hon. Will D. Pace, Hon. Olan R. Van Zandt, Hon. A. M. Aikin, Jr., Hon. Wilbourne B. Collie, Hon. Gordon M. Burns, Hon. Morris Roberts, Hon. Vernon Lemens, Hon. Allan Shivers, Hon. John S. Redditt, Hon. G. H. Nelson, Hon. George Moffett, Hon. C. C. Small, Hon. L. J. Sulak, Hon. H. L. Winfield, Hon. Jesse E. Martin, and Hon. Albert Stone seconded the nomination of Hon. Weaver Moore.

The President appointed Senators Aikin, Stone of Washington and Isbell to take up and count the ballots.

The tellers appointed reported the vote to be:

For Hon. Weaver Moore, 30 votes.

The President declared Hon. Weaver Moore duly elected President Pro Tempore of the Senate and appointed Senators Spears, Pace and Shivers to escort him to the President's stand.

Hon. Weaver Moore was escorted to the President's stand, and the constitutional oath of office was administered to him by the President.

The President presented President Pro Tempore Moore to the Senate.

President Pro Tempore Moore then addressed the Senate briefly, thanking the Senators for the honor conferred upon him.

Caucus Report

(Senate Resolution 1)

Senator Redditt submitted the following report:

Senate Chamber,
Austin, Texas,
January 10, 1939.

Hon. Walter F. Woodul, President of the Senate, Austin, Texas.

Sir: At a caucus held in the office of the Senate, attended by 31 Members of the Senate, the following recommendations were made, to-wit:

The following officers were elected to serve for the ensuing Regular Session of the Forty-sixth Legislature, and at the salaries set opposite their names:

Secretary of the Senate, Bob Barker	\$10.00
Sergeant-at-Arms, A. W. Holt	7.50
Assistant Sergeant-at-Arms, R. H. (Bob) Warren	6.00
Doorkeeper, Joel Gunn	5.00
Assistant Doorkeeper, Alton Swain	5.00
Chaplain, Theodore Drees ...	5.00
Journal Clerk, Noel K. Brown	7.50
Assistant Journal Clerk, Mary M. Keeble	5.00
Calendar Clerk, Martha Turner	7.50
Assistant Calendar Clerk, Olivia Smith	7.50
Enrolling and Engrossing Clerk, Essie McGinnis	7.50
Assistant Enrolling and Engrossing Clerk, Geneva Pillow	7.50
Postmaster, Lola Lawrence ..	6.00
Mailing Clerk, Ann Polglass ..	6.00
Librarian, Theodosia Bell	5.00
Warrant Clerk, Helen Avery ..	5.00
Parliamentarian, Overby Smith	7.50
Chief P. B. X. Operator, Ruth Phillips	5.00
Assistant P. B. X. Operator, Reba Byrnes	5.00

It is recommended that each Senator, Lieutenant Governor and the Secretary of the Senate, be permitted to name one secretary, who shall act as clerk of the committee of which the Senator naming such employee is chairman, such employees to receive \$5.00 per day, except the private secretary of the Lieutenant Governor who shall receive \$7.50 per day.

It is further recommended that each Senator, the Lieutenant Governor, the incoming Lieutenant Governor, and the Secretary of the Senate be permitted to name two employees of the Senate in addition to their private secretary, that the names of such employees be referred to an assignment committee hereinafter named, said committee to be authorized to select from said employees all employees in the Engrossing and Enrolling room and other departments of the Senate, said employees so named by the Senators, the Lieutenant Governor and the Secretary of the Senate to receive the sum of \$5.00 per day.

It is further recommended that the Chairman of the Caucus be authorized

to name a committee of five, which shall include the Lieutenant Governor, and such committee shall be designated as an assignment committee for the purpose of assigning employees as herein authorized and that the committee be authorized to select sufficient additional employees at \$5.00 per day to be assigned by it when and where needed.

It is further recommended that the Sergeant-at-Arms be allowed pay for each day of service from the date he ceased to draw compensation from his other employment, and extra employees and the porters who were selected to prepare the Senate Chamber in advance of the meeting be allowed pay for their services, the per diem allowed each of the employees mentioned in this section to be the same as herein fixed.

It is further recommended that the several appointments of employees heretofore made by the Lieutenant Governor and announced in the Senate and considered by the caucus are confirmed.

The salaries of the day and night elevator operators shall be \$4.00 per day each, and the salaries of the porters shall be \$2.50 per day each, except the head porter whose salary shall be \$4.00 per day and the porter carrying the mail shall receive \$3.50 per day, and the salaries of the pages shall be \$2.50 per day and the salaries of the messengers shall be \$3.00 per day.

The Lieutenant Governor is requested to recommend that the Southwestern Telephone Company employ Miss Mary Jacobs to attend the duties of telephone operator of the Senate, and that she be paid \$5.00 per day, and a night operator be named by the assignment committee, out of the employees whose names are filed with said committee.

The Lieutenant Governor, Senators and the Secretary of the Senate are hereby fully authorized and empowered to use all assistants Sergeant-at-Arms and all other necessary employees for any and all services needed in and about the Senate.

It is further recommended that no employee of the Senate shall, during the time he or she is employed, furnish to any person, firm or corporation any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation

during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged.

All employees, except those responsible directly to the Lieutenant Governor, some Senator, Secretary of the Senate, or committee, shall report for duty at eight o'clock a.m. and one o'clock p. m., reporting to the Sergeant-at-Arms of the Senate, and none of such employees shall be paid for days they are absent from the Senate.

It is further recommended that the Lieutenant Governor, each Senator and the Secretary of the Senate, be allowed the stationery and postage needed by them respectively, and expenses incurred in transmitting and receiving telephone and telegraph messages and express charges as may be actually necessary in the discharge of their official duties, said expenses to be paid out of the contingent fund.

It is further recommended that the Sergeant-at-Arms rent such typewriters as may be necessary for the use of the employees of the Senate, the contract to be approved by the assignment committee.

It is further recommended that 2600 Journals be printed; that same be prorated among the Senators and Lieutenant Governor, except that 175 Journals shall be furnished the Members of the House.

It is further recommended that the Senate request the State Comptroller of Public Accounts to issue general revenue warrants for the pay of the members and employees of the Senate upon presentation of the payroll account signed by the Presiding Officer and the Secretary of the Senate.

It is further recommended that each Senator, the Lieutenant Governor and the Secretary of the Senate, and Librarian be permitted to subscribe for three newspapers to be paid for out of the contingent fund.

It is further recommended that the President of the Senate have exclusive appointment of a sufficient number of custodians, messengers, pages, elevator operators, and porters as in his judgment may be necessary.

It is further recommended that the Chairman of the Finance Committee shall have authority to employ such additional employees of his own selection who shall receive compensation in accordance with the compensation paid similar positions as herein fixed,

who shall discharge the duties of the Finance Committee.

It is further recommended that the private rooms allotted to the Senators by the method as adopted by the caucus be assigned to Senators and their successors unless otherwise directed by the Senate.

It is further recommended that each Senator, as quickly as possible, file with the Secretary of the Senate the name of his private secretary selected; that he also file with the Chairman of the Committee aforesaid the name of the employees selected, together with his or her postoffice address and a suggestion as to the special qualifications of said employees.

It is further recommended that no person be employed by the Senate or under its direction, except private secretaries, who may be related within the second degree by affinity or within the third degree by consanguinity to any member of the Legislature or to any other person employed by or holding office under either the State of Texas, or the United States of America or political subdivision of this State, or by any public supported institution.

Be It Further Resolved, That no employee of the Senate except those whose official duties require them to work upon the floor of the Senate shall have access to the floor unless that employee shall have been requested by a Senator, the Lieutenant Governor, or the Secretary of the Senate, to come on the floor for some official duty which when performed they will immediately leave the floor of the Senate. The Sergeant-at-Arms is specifically ordered to see that this provision is carried out.

SMALL, Chairman.

On motion of Senator Redditt, a full reading of the report was omitted and it was adopted as a resolution of the Senate.

The membership of the assignment committee provided for in the foregoing resolution was announced as follows: Senator Aikin, Chairman; Senators Cotten, Roberts, and Redditt, and the Lieutenant Governor.

Oath of Office Administered

The officers-elect of the Senate, named in S. R. No. 1, then took the constitutional oath of office, which was administered by the President.

Special Rule Relative to Senate Employees

At the request of Senator Small, the President had the Secretary read the following paragraph from the Caucus Report to the newly elected officers:

"It is further recommended that no employee of the Senate shall, during the time he or she is employed, furnish to any person, firm or corporation, any information other than general information furnished the public pertaining to the Senate, and they shall not receive any compensation from any person, firm or corporation during their employment by the Senate, and any employee found guilty of violating this provision shall be immediately discharged."

Senate Resolution 2

Senator Pace offered the following resolution:

Be It Resolved by the Senate, That Hon. Coke R. Stevenson, Lieutenant Governor-elect of Texas be granted the privileges of the floor of the Senate on all occasions previous to his inauguration and that he now be invited to address the Senate.

The resolution was read and was adopted.

The President appointed Senators Roberts, Pace and Small to escort Hon. Coke R. Stevenson, Lieutenant Governor-elect, to the President's stand.

The President presented Hon. Morris Roberts, who in turn presented Hon. Coke R. Stevenson to the Senate.

Mr. Stevenson then addressed the Senate briefly.

Senate Resolution 3

Senator Collie offered the following resolution:

Resolved, That the Rules of the Senate of the Forty-fifth Legislature, except those rules which would require a four-fifths vote for their adoption, be adopted as the temporary rules of the Senate.

The resolution was read.

Senator Hill offered the following amendment to the resolution:

Amend S. R. No. 2, by substituting Forty-fourth for Forty-fifth Legislature.

Senator Moore moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—18

Brownlee	Roberts
Collie	Shivers
Graves	Small
Head	Stone
Isbell	of Galveston
Kelley	Stone
Martin	of Washington
Moore	Van Zandt
Pace	Weinert
Redditt	Winfield

Nays—13

Aikin	Lemens
Beck	Metcalf
Burns	Moffett
Cotten	Nelson
Hardin	Spears
Hill	Sulak
Lanning	

Question recurring on the resolution, it was adopted.

Votes Recorded

Senator Hill and Senator Metcalfe asked to be recorded as voting "nay" on the adoption of the resolution.

Senate Concurrent Resolution 1

Senator Collie offered the following resolution:

Be It Resolved by the Senate, the House of Representatives concurring, That the Joint Rules of the House and Senate of the Forty-fifth Legislature be, and they are hereby made the temporary Joint Rules of the House and Senate of the Forty-sixth Legislature.

The resolution was read and was adopted.

Senate Concurrent Resolution 2

Senator Brownlee offered the following resolution:

Be it Resolved by the Senate of Texas, the House of Representatives concurring, That the President of the Senate appoint five (5) Senators and the Speaker of the House of Representatives appoint five (5) members of the House of Representatives to count the votes in the recent election for Governor and Lieutenant Governor,

and to make the necessary arrangements for their inauguration.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Brownlee, Roberts, Moore, Hardin and Martin, as the committee on the part of the Senate to arrange for counting the votes for, and inaugurating, the Governor-elect and Lieutenant Governor-elect.

Standing Committees

The President announced the following designations of memberships in the several standing committees of the Senate:

Agriculture

Senator Sulak, Chairman; Senator Stone of Washington, Vice Chairman; Senators Aikin, Brownlee, Head, Isbell, Kelley, Lemens, Metcalfe, Moffett and Van Zandt.

Banking

Senator Winfield, Chairman; Senator Pace, Vice Chairman; Senators Beck, Collie, Cotten, Hill, Lanning, Martin, Redditt and Stone of Galveston.

Civil Jurisprudence

Senator Van Zandt, Chairman; Senator Redditt, Vice Chairman; Senators Aikin, Beck, Brownlee, Burns, Graves, Isbell, Martin, Moore, Pace, Small, Stone of Washington and Weinert.

Commerce and Manufacturing

Senator Beck, Chairman; Senator Nelson, Vice Chairman; Senators Burns, Graves, Hardin, Hill, Spears, Stone of Galveston and Sulak.

Congressional Districts

Senator Martin, Chairman; Senator Metcalfe, Vice Chairman; Senators Brownlee, Burns, Spears, Sulak and Van Zandt.

Constitutional Amendments

Senator Moffett, Chairman; Senator Small, Vice Chairman; Senators Aikin, Martin, Metcalfe, Moore, Roberts, Sulak, Van Zandt, Weinert and Winfield.

Contingent Expenses

Senator Isbell, Chairman; Senator Lanning, Vice Chairman; Senators Beck, Shivers and Winfield.

Counties and County Boundaries

Senator Hardin, Chairman; Senator Cotten, Vice Chairman; Senators Lanning, Lemens, Nelson and Spears.

Criminal Jurisprudence

Senator Spears, Chairman; Senator Hill, Vice Chairman; Senators Brownlee, Burns, Collie, Cotten, Kelley, Martin, Nelson, Shivers, Stone of Galveston, Stone of Washington and Weinert.

Education

Senator Aikin, Chairman; Senator Kelley, Vice Chairman; Senators Burns, Cotten, Head, Hill, Nelson, Spears, Stone of Galveston, Van Zandt and Winfield.

Engrossed Bills

Senator Lanning, Chairman; Senator Brownlee, Vice Chairman; Senators Burns, Hardin and Stone of Washington.

Enrolled Bills

Senator Stone of Galveston, Chairman; Senator Head, Vice Chairman; Senators Cotten, Shivers and Spears.

Federal Relations

Senator Graves, Chairman; Senator Burns, Vice Chairman; Senators Brownlee, Collie and Hardin.

Finance

Senator Roberts, Chairman; Senator Beck, Vice Chairman; Senators Aikin, Brownlee, Burns, Head, Hill, Isbell, Kelley, Lanning, Lemens, Metcalfe, Moffett, Redditt, Small, Spears, Stone of Washington, Weinert and Winfield.

Game and Fish

Senator Moore, Chairman; Senator Winfield, Vice Chairman; Senators Kelley, Pace, Redditt, Roberts, Shivers and Weinert.

Highways and Motor Traffic

Senator Brownlee, Chairman; Senator Aikin, Vice Chairman; Senators Collie, Cotten, Graves, Hardin, Hill, Kelley, Martin, Metcalfe, Nelson, Pace, Redditt, Roberts, Small, Stone of Galveston, Sulak and Weinert.

Insurance

Senator Cotten, Chairman; Senator Lemens, Vice Chairman; Senators Brownlee, Collie, Graves, Hardin, Head, Kelley, Martin, Moore, Redditt, Small, Stone of Galveston and Sulak.

Internal Improvements

Senator Graves, Chairman; Senator Collie, Vice Chairman; Senators Hardin, Isbell and Lanning.

Interstate Co-operation

Senator Head, Chairman; Senator Roberts, Vice Chairman; Senators Cotten, Moffett, Roberts and Winfield.

Judicial Districts

Senator Nelson, Chairman; Senator Weinert, Vice Chairman; Senators Aikin, Moore, Roberts and Winfield.

Labor

Senator Spears, Chairman; Senator Redditt, Vice Chairman; Senators Beck, Burns, Collie, Hardin, Head, Hill, Isbell, Lemens, Pace, Shivers and Sulak.

Military Affairs

Senator Metcalfe, Chairman; Senator Spears, Vice Chairman; Senators Aikin, Lemens, Martin, Moffett, Pace and Redditt.

Mining, Irrigation and Drainage

Senator Pace, Chairman; Senator Moore, Vice Chairman; Senators Beck, Collie, Hill, Kelley, Lanning, Metcalfe, Moffett, Roberts, Shivers, Small, Weinert and Winfield.

Nominations of Governor

Senator Shivers, Chairman; Senator Martin, Vice Chairman; Senators Aikin, Graves, Metcalfe, Moffett, Moore, Redditt, Roberts, Stone of Washington and Van Zandt.

Penitentiaries

Senator Burns, Chairman; Senator Stone of Galveston, Vice Chairman; Senators Beck, Hill, Isbell, Moffett, Moore, Pace, Spears, Stone of Washington and Sulak.

Privileges and Elections

Senator Hardin, Chairman; Senator Graves, Vice Chairman; Senators Aikin, Beck, Brownlee and Hill.

Public Buildings and Grounds

Senator Lanning, Chairman; Senator Burns, Vice Chairman; Senators Small, Stone of Washington and Van Zandt.

Public Debts, Claims and Accounts

Senator Head, Chairman; Senator Stone of Washington, Vice Chairman; Senators Lanning, Lemens and Weinert.

Public Health

Senator Stone of Washington, Chairman; Senator Brownlee, Vice Chairman; Senators Beck, Head, Isbell, Lanning, Lemens, Pace, Redditt, Stone of Galveston and Martin.

Public Lands and Land Office

Senator Collie, Chairman; Senator Metcalfe, Vice Chairman; Senators Aikin, Beck, Moffett, Moore, Shivers, Small, Weinert and Winfield.

Public Printing

Senator Sulak, Chairman; Senator Pace, Vice Chairman; Senators Head, Redditt and Spears.

Representative Districts

Senator Martin, Chairman; Senator Stone of Galveston, Vice Chairman; Senators Nelson, Roberts and Van Zandt.

Rules

Senator Collie, Chairman; Senator Van Zandt, Vice Chairman; Senators Graves, Metcalfe, Moore, Redditt and Shivers.

Senatorial Districts

Senator Kelley, Chairman; Senator Sulak, Vice Chairman; Senators Cotten, Nelson and Small.

State Affairs

Senator Weinert, Chairman; Senator Shivers, Vice Chairman; Senators Collie, Cotten, Graves, Hardin, Head, Martin, Moore, Nelson, Pace, Roberts, Small, Stone of Galveston, Stone of Washington, Sulak, Van Zandt and Winfield.

State Institutions and Departments

Senator Lemens, Chairman; Senator Isbell, Vice Chairman; Senators Hardin, Metcalfe and Nelson.

Stock and Stock Raising

Senator Moffett, Chairman; Senator Small, Vice Chairman; Senators Kelley, Lanning and Winfield.

Towns and City Corporations

Senator Hill, Chairman; Senator Cotten, Vice Chairman; Senators Aikin, Graves, Isbell, Lemens, Spears, Stone of Washington and Van Zandt.

Changes in Committee Chairmanships

Senator Small asked unanimous consent of the Senate that he be designated as Vice Chairman of the Committee on Constitutional Amendments instead of Chairman and that Senator Moffett be designated as Chairman of the committee instead of Vice Chairman.

There was no objection offered, and it was so ordered.

Senator Redditt asked unanimous consent of the Senate that he be designated as Vice Chairman of the Committee on Labor instead of Chairman and that Senator Spears be designated as Chairman of the committee instead of Vice Chairman.

There was no objection offered, and it was so ordered.

Senate Resolution 4

Senator Moore offered the following resolution:

Be It Resolved, That a committee of five (5) be appointed by the Lieutenant Governor to notify the Governor that the Senate has completed its organization and is ready to transact business.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Small, Weinert,

Moore, Kelley and Stone of Galveston as a committee to notify the Governor that the Senate is organized and ready to transact business.

Senate Resolution 5

Senator Moffett offered the following resolution:

Be It Resolved, That a committee of five (5) be appointed by the Lieutenant Governor to notify the House of Representatives that the Senate has completed its organization and that it is ready to transact business.

MOORE,
MOFFETT.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Moffett, Metcalfe, Graves, Lanning and Martin as a committee to notify the House that the Senate is organized and ready to transact business.

At Ease

On motion of Senator Head, the Senate, at 1:10 o'clock p. m., stood at ease subject to the call of the President.

The Senate was called to order by the President at 1:15 o'clock p. m.

Governor Notified

The committee appointed to notify the Governor that the Senate is organized and ready to transact business appeared at the bar of the Senate; and Senator Small, for the committee, reported the duty assigned it had been performed.

At Ease

On motion of Senator Head, the Senate, at 1:17 o'clock p. m., stood at ease subject to the call of the President.

The President called the Senate to order at 1:20 o'clock p. m.

House Notified

The committee appointed to notify the House that the Senate is organized and ready for the transaction of business appeared at the bar of the Senate; and Senator Moffett, for the committee, reported that the duty assigned it had been performed.

Senate Bills and Joint Resolutions on First Reading

The following Senate bills and joint resolutions were introduced, read severally first time, and referred by the President to appropriate standing committees, as follows:

By Senator Kelley:

S. B. No. 1, A bill to be entitled "An Act to amend Section 5 of Chapter 42, General Laws of the State of Texas passed by the Forty-first Legislature, Second Called Session, as amended by Section 5 of Chapter 282, Acts of the Regular Session of the Forty-second Legislature, relating to the operation of commercial motor vehicles on the public highways; prescribing a formula and fixing the load limit which may lawfully be transported on motor vehicles and combinations thereof outside the limits of an incorporated city or town; authorizing the Highway Department to register such vehicles for weights within the limits of the prescribed formula; providing that all axles of vehicles transporting net loads in excess of 7,000 pounds must be equipped with brakes; prohibiting the registration of unsafe vehicles; amending Section 13a, Acts of the Regular Session, Forty-second Legislature, Chapter 277, conferring upon the Highway Commission of Texas the authority to adopt rules and regulations restricting, limiting, or prohibiting the transportation of hazardous or dangerous commodities, and to fix and limit the number and size of boxes, packages, barrels, bales or containers of any particular commodities which may be lawfully transported over the highways, and to prescribe the method of loading such boxes, packages, barrels, bales or containers of such commodities; to define and establish the kind and character of vehicle and the equipment thereof necessary for the safe transportation of dangerous or hazardous commodities, and declaring an emergency."

Referred to Committee on State Highways and Motor Traffic.

By Senator Kelley:

S. B. No. 2, A bill to be entitled "An Act to amend Section 5 of Chapter 42, General Laws of the State of Texas, passed by the Forty-first Legislature, Second Called Session, as amended by Section 5, of Chapter 282, Acts of the Regular Session of the

Forty-second Legislature, relating to the operation of vehicles on the public highways; fixing the load limit which may be lawfully transported on commercial motor vehicles outside the limits of an incorporated city or town; also amending Section 13a, Acts of the Regular Session, Forty-second Legislature, Chapter 277, conferring upon the State Highway Commission of Texas the authority to approve or disapprove the nature and character of equipment to be used by certain carriers and to regulate the amount and character of tonnage which may be transported on any motor vehicle, trailer or semi-trailer; declaring an emergency and providing the Act shall take effect from and after its passage."

Referred to Committee on State Highways and Motor Traffic.

By Senator Kelley:

S. B. No. 3, A bill to be entitled "An Act providing for licensing of operators, commercial operators and chauffeurs; defining certain terms; providing for certain exemptions; prohibiting issuance of licenses to certain persons; making it unlawful for certain persons to operate a school bus or any motor vehicle while in use as a public or common carrier of persons; providing for application for operators', commercial operators' and chauffeurs' licenses; providing for signing of application of minors and cancellation of minor's license upon application, and/or death of signatory; providing for examinations of applicants for operators', commercial operators' and chauffeurs' licenses; providing for the issuance of operators', commercial operators' and chauffeurs' licenses, and duplicates thereof; providing for the issuance of restricted operators', commercial operators' and chauffeurs' licenses, providing a penalty for a violation of the restrictions imposed and for the revocation or suspension of restricted licenses; relating to the carrying of a license by the licensee and exhibiting same; prescribing the amount of fees and providing for the collection of same by the Department of Public Safety and the disposition of same; providing for the time of expiration of licenses and for renewal of same; providing for notice to the Department of changes of address or name of licensee; providing for certain records to be kept by the Department of Public Safety; relating

to the authority of the Department of Public Safety to suspend, revoke or cancel licenses; providing for time, place and manner of holding hearings before the Department of Public Safety; providing for the period of suspension by the Department; providing for the automatic suspension of licenses upon conviction of certain offenses; providing for the surrender and return of license to the Department upon suspension; providing for court to forward license to Department and report convictions and defining "conviction" and providing that a suspended sentence shall not mitigate against automatic suspension of license on conviction of certain offenses; prohibiting the operation of motor vehicle under foreign license during suspension or revocation in this State; providing authority of the Department of Public Safety to suspend or revoke license and to suspend privileges of non-residents and report convictions, and to suspend resident license upon conviction in another state; providing for the cancellation of licenses under certain conditions; providing for the right of appeal when license denied or cancelled, suspended or revoked by Department, except where such suspension or revocation is automatic; prohibiting the driving of motor vehicle while license or privilege is cancelled, suspended or revoked; and making it unlawful to commit certain other acts; providing authority of the Department of Public Safety to require accident reports and providing a penalty for failure to report; providing for forms of accident statistics and reports and making such reports confidential; providing for a penalty for violation of the Act; and providing for a maximum fine in certain instances; repealing all laws and parts of laws in conflict herewith, and particularly S. B. No. 15, Chapter 466, page 1785, General Laws, Second Called Session, Forty-fourth Legislature, as amended by H. B. No. 16, Chapter 369, page 752, Regular Session Forty-fifth Legislature; providing a saving clause, declaring an emergency and providing the Act shall take effect from and after its passage."

Referred to Committee on State Highways and Motor Traffic.

By Senators Small and Pace:

S. B. No. 4, A bill to be entitled "An Act to repeal Section 20 of Chapter 76 of the Acts of the Forty-

fourth Legislature, Regular Session of 1935, as amended by Section 1, Chapter 2 of the Acts of the Forty-fifth Legislature, Regular Session of 1937, and declaring an emergency."

Referred to Committee on Mining, Irrigation and Drainage.

By Senator Moore and Senator Van Zandt:

S. B. No. 5, A bill to be entitled "An Act repealing H. B. No. 170 Chapter 91 of the Acts of the First Called Session of the Forty-first Legislature of the State of Texas, 1929; and providing for the creation of a Legislative Audit Committee and fixing its duties, and providing for the appointment of a State Auditor by said Legislative Audit Committee; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Senator Moore:

S. B. No. 6, A bill to be entitled "An Act declaring the floods of Harris County, Texas, to be a public calamity; authorizing a donation and grant to Harris County Flood Control District of one-half of the State ad valorem taxes collected in Harris County for flood control improvement and maintenance purposes, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Senators Head, Martin and Graves:

S. B. No. 7, A bill to be entitled "An Act, amending Article 2618 of the Revised Civil Statutes of 1925, changing the status of John Tarleton Agricultural College from a Junior College to a standard four year college, and providing for a course of study for said college; and amending Article 2620 of the Revised Civil Statutes of 1925, changing the name of North Texas Junior Agricultural, Mechanical and Industrial College at Arlington to the name of North Texas Agricultural College, and placing said school under the Board of Directors of the Agricultural and Mechanical College of Texas; and amending Article 2621 of the Revised Civil Statutes of 1925, changing the status of said junior college to a standard four year college, and providing for a course of study for the same; and expressly repealing Articles 2622 and 2623 of

the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to Committee on Education.

By Senator Head:

S. B. No. 8, A bill to be entitled "An Act amending Article 1676, Chapter 2, Title 34, Revised Civil Statutes of Texas, 1925, by adding thereto a new Article to be known as Article 1676b; defining certain words, terms, and phrases for the purposes of this Act, including "political subdivisions"; providing that the governing body of any political subdivision of this State shall prepare or cause to be prepared semiannually a report of all transactions during each half of each year, concerning the finances of such political subdivision; providing that the governing body of each political subdivision shall examine, correct, and approve such reports and shall cause such reports to be published in a newspaper; providing the time and manner in which such reports shall be prepared, examined, corrected, approved, and published, and the subject matter of such reports; providing the manner in which newspapers shall be compensated for publishing such reports; outlining duty of officers, officials, and employees in preparation of such reports; repealing all laws in conflict herewith; providing that if any portion of this law shall be held unconstitutional that the remainder of the law shall remain in full force and effect; providing penalties for the violation or failure of any official, officer, or employee to comply with the provisions of this Act; and declaring an emergency."

Referred to Committee on State Affairs.

By Senator Hardin:

S. B. No. 9, A bill to be entitled: "An Act providing that there shall hereafter be paid out of the revenue of this State, on the last day of each month, to each actual bona fide citizen of this State over the age of sixty-five years the sum of Fifteen (\$15.00) Dollars per month as old age assistance, providing that no habitual criminal, and no habitual drunkard, while such habitual drunkard, and no inmate of any State supported institution, while such inmate, shall be eligible for such old age assistance;

providing that the length of time of actual residence in Texas shall never be less than five years during the nine years immediately preceding the application for old age assistance and continuously for one year immediately preceding such application; providing that the officers charged with the administration of this Act shall receive from the Government of the United States financial aid for old age assistance; and that they shall pay out such old age assistance received from the Government of the United States to those persons in need as provided herein and all such funds shall be kept and disbursed separately; providing that the County Commissioners Court of the respective counties and the State Comptroller shall administer this Act; providing the method and procedure by which applicants may qualify for and obtain such old age assistance; defining the duties of the Commissioners Court, and of the County Clerk and the Attorney General and the Comptroller in connection with the administration of this Act; giving the right of appeal; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Finance.

By Senator Sulak:

S. B. No. 10, A bill to be entitled "An Act to be known as the 'State Soil Conservation Act,' reciting the legislative determination and declaration of policy; describing the consequence of soil erosion and the depletion of the fertility of the soil; reciting appropriate corrective methods; defining certain words and phrases used in this Act; establishing the State Soil Conservation Board; establishing five (5) State Districts from which members of the State Soil Conservation Board are to be elected; defining the powers and duties of said members acting through and for said State Soil Conservation Board; providing for the establishing of County Soil Conservation Advisory Committees; defining the duties and compensation of the members thereof; providing for the compensation of members of the State Soil Conservation Board; providing for the method by which vacancies on the State Soil Conservation Board shall be filled; providing for the creation of Soil Conservation Districts; providing the manner of selection of the Super-

visors of said Soil Conservation Districts; defining the powers, duties, and compensation of said Supervisors acting for and through such Soil Conservation Districts; providing for the removal of Supervisors; providing that vacancies shall be filled by election of Supervisors; providing for a Board of Adjustment of three members and fixing the method of appointment, the term of office, the duties and compensation of Board of Adjustment members; providing for removal of officers under certain conditions and the filling of vacancies; providing that the State Treasurer shall act as the Treasurer for the State Soil Conservation Board; prescribing the duties of the State Treasurer with reference to funds of the Board; providing for a biennial audit and report to be made to the Governor of the State by Soil Conservation Districts; providing for an appropriation to be made for the use of the State Board; providing the proper method of enforcement of such programs and regulations as may be promulgated by the several Districts described herein; providing method by which Soil Conservation Districts may be discontinued; repealing S. B. No. 227, Regular Session, Forty-fourth Legislature, page 504; providing that H. B. No. 13, Acts of the Forty-second Legislature, Regular Session and H. B. No. 978, Regular Session, Forty-fourth Legislature, and S. B. No. 386, Acts of the Forty-fifth Legislature, Regular Session, shall be specifically preserved; providing that this Act shall be supplementary and complementary to all present laws, except those specifically repealed by this Act; providing this Act shall not impair nor impinge upon the rights, powers and functions of certain Districts; providing separability clause; and declaring an emergency."

Referred to Committee on Agriculture.

By Senator Moffett:

S. B. No. 11, A bill to be entitled "An Act making an appropriation for the 'Pease River Flood Control District'; designating who shall have authority to execute vouchers; limiting the purposes for which the money may be spent; and declaring an emergency."

Referred to Committee on State Affairs.

By Senator Metcalfe:

S. B. No. 12, A bill to be entitled "An Act to amend Articles 6890 and 6898 of the Revised Civil Statutes of Texas, of 1925 so as to require every person having cattle, hogs, sheep, or goats to brand or earmark the same and to register such brand or earmark with the County Clerk of the county where such cattle, hogs, sheep, or goats shall be and in certain other counties, on or before January 1, 1940, and every five years thereafter, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Senator Lemens:

S. B. No. 13, A bill to be entitled "An Act to amend Sections Nos. 7, 16, 22, 23, 24, 25, 28, 30, 35, 37, and 42 of S. B. No. 111, passed at the Second Called Session of the Forty-first Legislature, and known as Chapter 61, page 100, of the General Laws passed at said Second Called Session of the Forty-first Legislature, and by adding four new sections to said Chapter to be known as Sections numbered 10-a, 38-a, 38-b, and 58-a, so as to provide for the supervision and control of building and loan associations; providing for the appointment of a building and loan supervisor, building and loan examiners and other employees, and providing for their qualifications; providing for joint examinations by certain regulatory authorities, and authorizing the furnishing of information by such examiners to other regulatory officers and authorities; providing that remedies therein contained are accumulative; providing that in involuntary liquidation the Banking Commissioner of Texas shall be receiver for associations to be liquidated; providing the procedure to be followed by the Banking Commissioner for such liquidation; authorizing the appointment of agents, attorneys, assistants and help in the liquidation of such associations; authorizing the Banking Commissioner to appoint as his agent the General Manager of the Federal Savings and Loan Insurance Corporation in the liquidation of insured associations; providing for the expense of such liquidation; providing for the bonding of officers and employees of building and loan associations by surety companies; providing that married women and minors may subscribe for shares and share accounts

in building and loan associations organized in this State, or in Federal savings and loan associations domiciled in this State; providing that shares or share accounts so purchased by a married woman may be held, pledged, hypothecated, controlled, transferred and withdrawn by her, without the joinder of her husband, in all respects as a feme sole; providing that minors may pledge, hypothecate, control, transfer and withdraw such investments as a person who has reached his majority; providing that any payment made by any such association to a married woman or a minor in connection with said shares or share accounts shall be valid and binding on all parties and that a receipt or acquittance signed by a married woman without the joinder of her husband or by a minor shall be a valid and sufficient release and discharge of any such association for any payment on shares or share accounts; providing that shares or share accounts issued by any building and loan association organized under the laws of this State, or by any Federal savings and loan association domiciled in this State, in the name of two or more persons, or to two or more persons, or the survivor of either, may be withdrawn on the signature of either party; that such account shall create one membership, and the payment or delivery to either party of any rights thereunder, whether all parties are living or dead, shall be a valid and sufficient release and discharge of any such association for the payment or delivery so made; providing that administrators, executors, guardians, trustees, or fiduciaries, may acquire and hold shares and share accounts in building and loan associations organized under the laws of this State, or in any Federal savings and loan association domiciled in this State; providing that administrators, executors, guardians, trustees, or other fiduciaries may invest funds in their hands in the obligations of any Federal Home Loan Bank, or in the obligations of any Federal Savings and Loan Insurance Corporation; providing that any Texas corporation, including any insurance company, may invest its funds in the shares or share accounts of such building and loan associations; and that such investments shall be eligible for tax reducing purposes under Articles 7064 and 4769, Revised Civil Statutes of 1925, as amended; pro-

viding restrictions as to deposit accounts in building and loan associations; providing for articles of association, its name, purpose for which it is organized, its place of business, the amount of its capital stock, the names, occupations and addresses of its incorporators and directors, the term of its existence, and the number of directors of the association; providing for membership in building and loan associations; the liability of such members and definition of capital; providing for lien on accounts and providing for the voting power of shares or share accounts and the method of voting; providing for the payment of dues; making it unlawful to advertise a greater capital than actually exists; providing for the value of the participation in the capital of each share or share account; providing that associations may have a lien upon the account of any borrower, but may waive its lien in whole or in part; authorizing associations to accept shares or share accounts as security for a loan, such shares or share accounts belonging to other persons; providing that building and loan associations may issue different classes of shares and share accounts and completely describing and defining said different classes of shares and share accounts and rights thereunder; providing a method by which reserve funds or permanent stock may be retired, in whole or in part, by any association having such reserve fund or permanent stock; providing that until September 1, 1943, building and loan associations may make ninety per cent (90%) loans where such loan is insured by the Federal Housing Administrator; authorizing building and loan associations eligible for insurance under the National Housing Act to do all things necessary to obtain, continue or terminate such insurance and ratifying and confirming actions heretofore taken by any such building and loan association in connection with such insurance; granting to Federal savings and loan associations organized under the provisions of the Home Owner's Loan Act of 1933, as now or hereafter amended, and the holders of shares or share accounts issued by any such association, all the rights, powers and privileges and exemptions now enjoyed by building and loan associations organized under the laws of this State or the share or share account holders of such domestic building and

loan associations; providing that gross earnings of building and loan associations shall be ascertained semiannually; providing for the payment of operating expenses and dividends; providing for a reserve fund; providing for loss and depreciation of securities; providing for the crediting of dividends to shareholders and declaring an emergency."

Referred to Committee on Banks and Banking.

By Senator Spears:

S. B. No. 14, A bill to be entitled "An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia, other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; providing that repairs to such properties shall be a first lien; providing that the tolls, fees, and other charges made for the use thereof shall be at a rate sufficient to pay the current interest and provide the necessary sinking fund therefor; providing the form of contract, bonds or notes, and for the examination of bonds by the Attorney General and registration of same by the Comptroller; providing that no contract, bond or note, or other evidence of indebtedness authorized herein shall be issued under this Act after one (1) year from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder; validating acts heretofore performed by school districts, and declaring an emergency."

Referred to Committee on Education.

By Senator Brownlee:

S. B. No. 15, A bill to be entitled "An Act to promote and make practical the conservation and timely utilization of the natural resources of the State, and to promote the civic,

agricultural, forestry, industrial, and all other commercial industries and the general welfare of the citizens of this State, by creating a governmental agency to be known as the State Planning and Industrial Development Commission; providing that the Commission shall consist of nine (9) members, three (3) of whom shall be the State Highway Engineer, the Chairman of the Board of Water Engineers, and the Secretary of State, respectively, of the State of Texas; and six (6) of whom shall be appointed by the Governor, one (1) of whom shall be experienced in agriculture, one (1) to represent labor, one (1) familiar with forestry, and one (1) familiar with industrial problems of the State; providing for the establishment, government, and procedures of the Commission; providing for the qualification of the members of the Commission, for the officers of the Commission and their terms of office; prescribing the rights, powers, functions, and duties of the Commission; providing for the meetings of the Commission and the place of meetings; defining the term commission; requiring the adoption of rules and regulations for the transaction of business; and the keeping of records of its proceedings; the appointment of employees; and for contracting for technical services, and the acceptance of funds which may be available for the use of the Commission; providing for the payment of actual expenses incurred by members of the Commission in the discharge of official duties; requiring the Commission and each member to file a sworn itemized statement of their expenditures with the Legislature and the Governor each biennium; declaring a legislative policy and intent; making an appropriation; providing a saving clause, and declaring an emergency."

Referred to Committee on State Affairs.

By Senator Brownlee:

S. B. No. 16, A bill to be entitled "An Act amending Chapter 33, Acts of the Regular Session of the Forty-fourth Legislature of the State of Texas, approved March 16, 1935; providing that the Texas Planning Board, created by said Act, shall hereafter be known as the 'State Planning and Industrial Development Commission'; providing that the Commission shall

prepare and perfect a long term plan or program for the progressive development of the State, and to revise same from time to time, to accord with changed conditions; that it shall give due consideration to the proper conservation of the natural resources of the State, the most suitable uses therefor, and to the betterment of the social and economic condition of its people and industries; and providing that it shall make inquiries and surveys concerning the physical, social and economic resources and needs of the State; and to the problems of agriculture, industry, and population, and formulate plans and recommendations as to the development, utilization and preservation of the State's resources, which will be helpful to agriculture, labor, mining, manufacturing, industry, the transportation of persons and goods, the conservation of forests, soil, waters, minerals, game, and all other resources of the State, and for the adequate provision for the future population of the State; providing that it shall promote the civic, industrial, and commercial interest of the State, and particularly, to attract new industries to the State, and make surveys of industrial opportunities and needs within the State, and formulate a program as a basis upon which may be predicated a sound State policy for promoting new industrial enterprises in the State; that it shall prepare a program of State and National advertising of the civic, industrial and commercial opportunities, plans and recommendations herein provided; and that it shall cooperate with the Governor and Legislature by furnishing such information and research service as they may request; that it shall cooperate with the various State Departments and agencies with a view toward coordination of all development plans related to State activities; that it shall assemble, prepare, and maintain an up-to-date file of base maps of the State; providing that the Commission shall cooperate with county and municipal agencies for the purpose of assisting county and municipal planning and zoning, and with public and private agencies within this State, or adjoining States, and with the National Resources Committee, and other Federal agencies on matters concerning the welfare of this State; providing that it shall make and file with the Governor and the Legislature, at the end of

each biennium, a report of all activities of the Commission; providing that any plans or programs adopted by this Commission, when approved by the Governor, shall be recognized as the 'Official State' plans or programs; providing that the Commission may have the services of all other officers, departments and agencies of the State Government and employees of institutions of higher learning, and making it the duty of such to render these services when so requested; providing that the Commission shall consist of nine (9) members, who shall serve without compensation, three (3) of whom shall be the State Highway Engineer, the Chairman of the Board of Water Engineers and the Secretary of State, respectively, of the State of Texas, and six (6) of whom shall be appointed by the Governor, one (1) of whom shall be experienced in agriculture, one (1) to represent labor, one (1) familiar with forestry, and one (1) familiar with the industrial problems of the State; providing that any State Officer is eligible for membership on said Commission; providing that any ex-officio member of the Commission may designate in writing a representative from personnel of his department to serve in his place at any meeting or in relation to any activity of the Commission; providing that the present members of the Texas Planning Board shall serve as members of the Commission until the expiration of their respective terms, unless sooner removed as required by law; providing for the appointment, term and qualification of the members of the Commission; for the officers of the Commission and their terms of office; providing for the establishment, government and procedures of the Commission; providing for the meetings of the Commission and the place of meetings; defining a quorum and the term 'Commission'; requiring the adoption of rules and regulations for the transaction of business; the keeping of the records of its proceedings; the appointment of employees; and for the acceptance of funds which may be made available for use by the Commission; providing for the payment of the actual expenses incurred by the Commission in the discharge of official duties; requiring the Commission and each member to file a sworn itemized statement of their expenditures with the Governor and the Legislature

each biennium; making an appropriation; providing a saving clause and declaring an emergency."

Referred to Committee on State Affairs.

By Senator Metcalfe:

S. J. R. No. 1, proposing an amendment to the Constitution of the State of Texas, by amending Section 19 of Article 16, so as to provide that the qualification of no person to serve as a juror shall be denied or abridged on account of sex; and by amending Sections 13, 17 and 29 of Article 5 so as to provide that grand and petit juries in the district courts shall consist of 12 persons, and in the county court of 6 persons; providing for the submission of this amendment to a vote of the people of Texas; providing the time, means and manner thereof, and making an appropriation for such purpose.

Referred to Committee on Constitutional Amendments.

By Senators Metcalfe and Martin:

S. J. R. No. 2, Proposing to amend Section 4 of Article VII of the Constitution of the State of Texas, by repealing said Section in lieu thereof, authorizing the Legislature to provide by law for the registration of all voters.

Referred to Committee on Constitutional Amendments.

By Senator Moffett:

S. J. R. No. 3, Proposing to amend the Constitution of the State of Texas, by adopting a new section, which shall provide that the Court of Criminal Appeals of Texas, may sit at any time during the year for the transaction of business, and that its term shall begin and end with each calendar year; repealing existing provisions in conflict therewith; providing for the holding of an election; prescribing the form of ballot; directing the Governor to issue the necessary proclamation; and making an appropriation.

Referred to Committee on Constitutional Amendments.

By Senator Moffett:

S. J. R. No. 4, Proposing an amendment to Article V of the Constitution of the State of Texas by adding three new sections to be known as Sections 3-b, 3-c, and 3-d, respectively; Section 3-c providing that no

interlocutory injunction suspending or restraining enforcement, operation or execution of any statute of this State by restraining the action of any Officer of the State in the enforcement of such statute, shall be granted by any trial court or judge thereof on the ground of the unconstitutionality of such statute, unless the petition has been on file at least five days and the opposite party or parties and the Attorney General shall have had at least three days notice thereof, not counting the day of hearing or filing of such suit; Section 3-c providing for appeal direct to the Supreme Court from interlocutory injunctions suspending or restraining the enforcement of any statute of the State pertaining to the revenue laws of the State or to enforcement of any criminal law thereof; and empowering the Legislature to provide direct appeal to the Supreme Court from any other order of the trial court granting an interlocutory injunction or permanent injunction on the ground of the unconstitutionality of any statute of this State; and Section 3-c providing that the Supreme Court may exercise original jurisdiction in direct proceedings filed by the Attorney General of Texas in the Supreme Court with the consent of the Court to prohibit judges of district courts from issuing and enforcing interlocutory injunctions or restraining orders restraining the enforcement of any revenue or criminal law of this State on the ground of its unconstitutionality, in instances where there is no issue of facts involved.

Referred to Committee on Constitutional Amendments.

Adjournment

Senator Collie moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 1:35 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

SECOND DAY

(Wednesday, January 11, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Woodul.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Kelley	of Washington
Lanning	Sulak
Lemens	Van Zandt
Martin	Weinert
Metcalf	Winfield
Moffett	

A quorum was announced present.

Father Theodore Drees, Chaplain, offered the invocation.

On motion of Senator Metcalfe and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Senate Bills on First Reading

The following Senate bills were introduced, read severally first time, and referred by the President to the committees indicated:

By Senator Van Zandt:

S. B. No. 17, A bill to be entitled "An Act creating a State Bar, constituting it an administrative agency of the judicial department of the State, defining the powers thereof, prescribing the membership thereof, and prohibiting those not members from practicing law; empowering the Supreme Court to adopt and promulgate rules and regulations for the admission to the practice of law, disciplining, suspending, and disbarring attorneys at law; for the conduct of the State Bar; prescribing a code of ethics governing the conduct of the members; prescribing and limiting the fees to be paid by members, collection and disbursement thereof; preserving the right of trial by jury in disbarment proceedings; providing for repeal of all laws in conflict; and declaring an emergency.

Referred to Committee on Civil Jurisprudence.

By Senator Roberts:

S. B. No. 18, A bill to be entitled "An Act making an appropriation of